

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Francis J. Houlihan
DOCKET NO.: 04-27789.001-R-1
PARCEL NO.: 17-10-318-031-1053

The parties of record before the Property Tax Appeal Board are Francis J. Houlihan, the appellant, by attorney Brian P. Liston of Liston & Lafakis, P.C., in Chicago, and the Cook County Board of Review.

The subject property consists of a 9 year-old, residential condominium that contains 1,500 square feet of living area. The subject is located in a 44-story building situated on a lot containing 34,825 square feet of land area. The subject property is located in Chicago, South Chicago Township, Cook County.

Through an attorney, the appellant submitted evidence claiming unequal treatment in the assessment process regarding the subject's improvements as the basis of the appeal. In support of the inequity argument, the appellant submitted limited information on three comparable condominiums located in the subject's building. The comparables were reported to be 9 year-old units that contain 1,500 square feet of living area. The comparables had improvement assessments of \$16,705 or \$23,961, or \$11.14 or \$15.97 per square foot of living area. The subject has an improvement assessment of \$39,079 or \$26.05 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$21,542 or \$14.36 per square foot of living area.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	5,027
IMPR.:	\$	22,016
TOTAL:	\$	27,043

Subject only to the State multiplier as applicable.

The appellant submitted evidence to demonstrate the subject was not equitably assessed. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has overcome this burden.

The appellant in this appeal submitted three assessment comparables to demonstrate the subject was not equitably assessed. The board of review did not submit any evidence in support of its assessment of the subject property as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board. The Board has examined the information submitted by the appellant and finds that it supports a reduction in the assessed valuation of the subject property.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member

Member

Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: February 29, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the

subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.